



MAINE STATE BOARD OF EDUCATION

23 State House Station
AUGUSTA, MAINE 04333

STATE OF MAINE

The State Board of Education held a regular monthly meeting on February 9, 2011, at the Cross State Office Building, Room 103, Augusta, Maine. The following members were present: Chair James Banks, Sr.; Vice Chair Steven Pound; Marilyn Temple Tardy; Nancy Perkins; Lynda Doyle; Dorothy Martin; Martha Harris; Andrea Levinsky and Angela Bechard. James Carignan by telephone. Excused: Jana Lapoint

Also present were: Commissioner Angela Faherty; Wanda Monthey, Policy Director of Standards, Assessment and Regional Services; Harry Osgood, Higher Education Specialist; Scott Brown, Director of School Facilities; Ann Pinnette, Education Specialist; Margaret Harvey, Federal Program Manager, Career and Technical Education; and Mary Becker, Secretary Associate.

CALLED TO ORDER:

Chair James Banks, Sr., called the meeting to order at 1:00 PM.

APPROVAL OF MINUTES:

MOVED by Marilyn Tardy, seconded by Martha Harris, and unanimously voted by those present to approve the January 24, 2011 minutes as written.

OFFICER'S REPORTS:

Chair, James Banks, Sr.:

- That the Board had a presentation this morning on the College Board and the AP Courses. He knows Angela is extremely proud of the development and work she has done. He has had the pleasure of knowing Angela Faherty for 20 years. When he was on the Portland school committee in the 90's, Angela was the Director in the school system. He is pleased that in the past 10 months the Board has had the opportunity to have Angela as Commissioner of Education. He would like to thank Commissioner Angela Faherty for all she has done.
- That he attended an Agenda Review Meeting, Construction Committee Meeting and the Career and Technical Education Committee Meeting.
- That the Legislative Liaison Committee is reviewing upcoming bills. Jim commented on the bills and the position the Board is taking on each.

Vice Chair, Steven Pound

- That he attended the Maine Coalition for Excellence Legislative Breakfast. Members of the Education Committee are working to make education the top priority in the coming months.

- That he attended the National Association of Work Force Investment Board meeting in Washington, DC. They discussed Credentialing and National Standards and how it fits in with Adult Education and Community College programs.
- That he attended the Mobilize Maine Initiative meeting with Hancock, Penobscot and Piscataquis counties. The committee is putting together sector strategies which include Education.
- That the Maine Adult Education is holding an Institute in March on pathways and different ways that students can pursue both career and college in the future.
- That he attended his first National Association of State Boards of Education (NASBE) Board of Directors meeting in Washington, DC. There was discussion on teacher quality and on-line learning.
- That he received an updated Board expenditure report from finance and is sharing a copy of the report with Board members. Financials are in good shape.

CONSTRUCTION COMMITTEE UPDATE – Marilyn Tardy:

The Construction Committee met on January 31, 2011. Ann Pinnette presented an overview of the application for the 2010 Qualified School Construction Bond Program for RSU 49/SAD 49. The Board will consider this exhibit this afternoon. The Committee met with Representative Bolduc to discuss L.D. 148 – AN ACT TO SET UNIFORM STANDARDS FOR SCHOOL CONSTRUCTION. Scott Brown provided a detailed overview of the process for approving and funding Major Capital School Construction Projects. Below are highlights of the presentation that would be good information for the Board to have:

- The Department recently assigned one of its consultants to work directly with the projects, on-site as the Department's "clerk of the works". He scrutinizes the construction process, all charges against the project budget, and all change orders.
- The Department has recently implemented new budget tracking sheets that must be used on all Major Capital School Construction projects and must be submitted to the Department on a monthly basis for review.
- The Department has a detailed 21-step process used on all Major Capital School Construction projects.
- The Department follows specific Educational Specifications, Public School Standards and Guidelines for New School Construction and Major Renovation Projects, and has a detailed Space Allocation Workbook that is following on all projects.
- One of the first things the school unit does is look at possible renovation of the school as the best option.
- The school unit is also required to do a Regional Analysis of other schools in the area to see if consolidation may be possible.

Representative Bolduc was very appreciative of the information that Scott Brown shared with the committee. Representative Bolduc left with this important information that will help him to decide what will happen with this bill.

The proposed supplemental budget included a \$10 million reduction in the Statutory Debt Service Limit, changing it from \$126 million in FY 2011 to \$116 million in fiscal years 2012 through 2015. This would compromise Major Capital Construction Projects and it would appear to actually facilitate the innovative model as the \$10 million in debt service shows up in years 2014 and 2015. The supplemental budget has passed in both houses and at this point there has been no change in the debt service limit. The concern now is the biennial budget which they are working on as we speak and the potential for this reduction to appear again. The Committee recommends that the Commissioner and the Legislature maintain the Statutory Debt Service Limit as it exists in Statute.

The Construction Committee has asked the Commissioner, Jim Rier, and the Department to have the priority list finalized and ready for presentation to the public at the March 9, 2011 State Board of Education meeting. The urgency in having the list presented publicly in March as opposed to April is entirely for public scrutiny and transparency. Past practice has been for the priority list to be presented in a formal and public manner with the facilities team having sole access to the information on the list and keeping integrity in the whole process. This will be most important information for legislators as they deal with their constituents who have serious needs in the construction of schools.

CERTIFICATION COMMITTEE UPDATE - Nancy Perkins:

The Certification and Higher Education Committee met on January 24, 2011. It was a very short meeting due to the special State Board meeting on the same date. The committee is looking at Reciprocity Agreements for Teacher Licensure throughout the New England States. It is the understanding of the Committee that New Hampshire is forming a group to look at this and once Nancy is notified she will let everyone know about it. The committee had a discussion on the Stakeholders Group that will be reviewing Chapter 114. The National accreditation groups NCATE and TEAC have merged into one. The new group is the Council of Educator Preparation (CAEP). It is in the works and perhaps next spring we will see the beginnings of their work.

CAREER AND TECHNICAL EDUCATION COMMITTEE UPDATE – Steve Pound:

The Career and Technical Education Committee met on January 10, 2011. Lora Downing and Meg Harvey will be bringing a report before the board today. The Committee will be reviewing the annual five year Carl D. Perkins plan at the next committee meeting and it will come before the Board at the March 9, 2011 meeting.

BOARD MEMBER REPORTS:

Marilyn Temple Tardy:

- No Report

James Carignan:

- No Report (Absent)

Nancy Perkins:

- That she attended the National Association of State Boards of Education (NASBE) “Teacher Preparation, Evaluation, Continuation, and Compensation Study Group” in Washington, DC on January 20 – 21st. This group is reviewing teacher effectiveness across the country. It is an in depth study on how you evaluate effective teachers.
- That she is on the State Consortium on Educator Effectiveness (SCEE) Committee and has participated in three webinars. The webinar is the second Tuesday of every month and is open for participation if anyone is interested. The first one was on different models of teacher evaluations. This month’s webinar was really fascinating as the group was looking at different plans. There are seven different locations where they are working on teacher evaluation plans.

Lynda Doyle:

- No Report

Dorothy Martin:

- No Report

Martha Harris:

- No Report

Jana Lapoint:

- No Report (Absent)

Andrea Levinsky:

- That she will be participating in the National Summit on Education in Washington, DC. It is a conference of future education and there will be 250 high school and middle school students in attendance. The National Association of State Boards of Education (NASBE) has chosen Andrea as one of five students across the states to participate in the President's summit.
- That she made All State Choir.
- That she has participated on NASBE student member webinars.

Angela Bechard:

- No Report

Commissioner Angela Faherty:

- The National Association of State Boards of Education (NASBE) has the opportunities for our State Board Members including the students to be part of National study groups that answer some of the serious policy questions that all of us are facing and they bring resources and wisdom to our state. Steve Pound serves on the NASBE Board of Directors. Maine is well represented on the National Association of State Boards of Education.

CONSENT AGENDA:

APPROVAL OF THE PROGRAM REVIEW TEAM FOR BOWDOIN COLLEGE

MOVED by Dorothy Martin, seconded by Lynda Doyle, and unanimously voted by those present to approve the Consent Agenda.

SPECIAL ORDERS:

CONSIDERATION OF THE REVIEW TEAM REPORT CONCERNING THE TEACHER CERTIFICATION PROGRAM OFFERED BY BATES COLLEGE

BACKGROUND: The State Board approved Bates College Review Team conducted its on-site review of the Bates College Teacher Certification Program September 26 – 29, 2010. The Team assessed the following teacher certification programs for renewal of State program approval:

Secondary Level (7-12)

- English/Language Arts
- Mathematics
- Life Sciences
- Physical Sciences
- Social Studies

Foreign Languages (K-12)

Following the on-site visit the Review Team's Report of Findings was prepared and distributed to the State Board during its December 15, 2010 meeting. An amendment has been made to the last section of the report providing more detail as to the list of individuals interviewed and the exhibits considered by the Team.

RECOMMENDATION: That the State Board of Education accept the Bates College Review Team Report of Findings and grant State program approval from the fall of 2010 to the fall of 2015.

MOVED by Dorothy Martin, seconded by Nancy Perkins, and unanimously voted by those present to accept the Bates College Review Team Report of Findings and Grant State Program Approval for the fall 2010 to the fall of 2015.

UNFINISHED BUSINESS:

APPROVAL OF MEMBERSHIP FOR THE STAKEHOLDERS GROUP TO CONDUCT A COMPREHENSIVE REVIEW OF 05-071, CHAPTER 114, *PURPOSE, STANDARDS AND PROCEDURES FOR THE REVIEW AND APPROVAL OF PREPARATION PROGRAMS FOR EDUCATION PERSONNEL*

BACKGROUND: Chapter 114 underwent a comprehensive review in 2006 that resulted in a number necessary changes and upgrades. Since that time, recognizing that a number of additional changes to this rule have become necessary, during its November 10, 2010 meeting, the State Board voted to establish a Stakeholders Group and directed that a roster of stakeholders to conduct this review would be presented for approval during the Board's January 13, 2011 meeting.

The Department was tasked by the Board with forming a representative Stakeholders Group. On behalf of the Board, numerous contacts have been made and the willingness to serve on the Stakeholders Group has been secured from a representative grouping of highly qualified educator preparation professionals.

The Group's charge will be to examine all elements of the current rule and to submit a report of its findings, along with recommended changes, to the State Board for its consideration. It has been established that the Stakeholders Group will:

- Be comprised primarily of those who will be most directly affected by the outcomes of this process [i.e. both education preparation program administrators and faculty – taking into account

both private and public programs as well as the geographic distribution of existing programs in Maine];

- Be limited to no more than 20 members;
- Have three (3) State Board members who will be active participants;
- Be given one year to complete its work;
- Develop its report of recommendations for the State Board through a consensus-building process;
- Have Co-Chairs;
- Meet once per month, beginning in February, 2011 [using both in-person and electronic meeting modes]; and
- Be facilitated by the Department's Higher Education Specialist who will provide support to the Group throughout this effort.

RECOMMENDATION: That the State Board of Education approve the following list of members for the Chapter 114 Stakeholders Group and that Dr. Kathy Yardley, Associate Provost and Dean of Education, University of Maine at Farmington and Dr. Thomas Edwards, Vice President for Academic Affairs and Coordinator of the Education Department at Thomas College, be designated as the Group's Co-Chairs. Further: That the Stakeholders Group is to be tasked with completing its work no later than February 28, 2012.

Chapter 114 Stakeholders Group

- 1) Dr. Kathy Yardley, Associate Provost and Dean of Education, UMF, Co-Chair
- 2) Dr. Thomas Edwards, V.P. for Academic Affairs and Coordinator, Teacher Education Program, Thomas College, Co-Chair
- 3) Nancy Perkins, State Board Member
- 4) Jana Lapoint, State Board Member
- 5) Dr. Dorothy Martin, State Board Member
- 6) Dr. Mark Tappan, Director and Faculty, Teacher Certification Program, Colby College
- 7) Dr. Gerry Saunders, Director and Faculty, Teacher Education Program, Unity College
- 8) Shelley Lane, Director, Education in the Unorganized Territories, MDOE
- 9) Barbara Moody, Title II Coordinator, Professional Development, MDOE
- 10) Mark Cyr, Certification Coordinator, MDOE
- 11) Dr. Susan Hillman, Professor of Education, UNE
- 12) Dr. Roland Caron, Coordinator of Teacher Education Programs, UMFK
- 13) Dr. Paula Tingley, Director of Teacher Education and Faculty, Husson University
- 14) Dr. Gael Romei, Coordinator and Faculty, Teacher Education Program, UMM
- 15) Pamela Kimball, Field Experiences and Certification Program Director, UMO
- 16) Dr. Philomena McPhee-Brown, Professor of Education, Thomas College
- 17) Dr. Catherine Fallona, Director and Faculty, Teacher Education Program, USM
- 18) Dr. Martha Naber, Chair, Early Childhood Education Program, KVCC
- 19) Heidi-Broad-Smith, Instructor, Early Childhood Education, NMCC
- 20) Harry Osgood, Higher Education Specialist, MDOE

MOVED by Nancy Perkins, seconded by Lynda Doyle, and unanimously voted by those present to approve the list of members for the Chapter 114 Stakeholders Group and that Dr. Kathy Yardley, Associate Provost and Dean of Education, University of Maine at Farmington and Dr. Thomas Edwards, Vice President for Academic Affairs and Coordinator of the Education Department at Thomas College, be designated as the Group's Co-Chairs. Further: That the Stakeholders Group is to be tasked with completing its work no later than March 30, 2012.

NEW BUSINESS:

REQUEST APPROVAL OF THE QUARTERLY REPORT OF THE MAINE CARL D. PERKINS GRANT AS AUTHORIZED UNDER THE *CARL D. PERKINS CAREER AND TECHNICAL EDUCATION ACT OF 2006 (P.L. 109-270)*

BACKGROUND: As a condition for the receipt of Federal funds to support vocational and technical education, §122 of the recently reauthorized Carl D. Perkins Career and Technical Education Act of 2006 (P.L. 109-270) requires a designated “eligible agency” in each State—in Maine’s case, the State Board of Education—to submit a State Plan for Career and Technical Education. This plan was approved by the State Board on March 12, 2008. Further requirements are as follows:

“SEC. 121. STATE ADMINISTRATION.

“(a) ELIGIBLE AGENCY RESPONSIBILITIES.—The responsibilities of an eligible agency under this title shall include—

“(3) convening and meeting as an eligible agency (consistent with State law and procedure for the conduct of such meetings) at such time as the eligible agency determines necessary to carry out the eligible agency’s responsibilities under this title, but not less than 4 times annually;

The State Board Chair requested, in accordance with Title 20-A, Section 405, 7, that the Board receives a quarterly financial report from the Career and Technical Education (CTE) team and the Department of Financial and Administrative Services (DAFS). We would like to submit this report as the fourth report for FY2010.

Recommendation: The State Board approve the Quarterly report for the period of July 1, 2010 through September 30, 2010 of the *State of Maine Five-Year Plan for Career and Technical Education Under the Carl D. Perkins Career and Technical Education Act of 2006 (P.L. 109-270)*

MOVED by Dottie Martin seconded by Steve Pound, and unanimously voted by those present to approve the Quarterly Report for the period of July 1, 2010 through September 30, 2010 of the State of Maine Five-Year Plan for Career and Technical Education Under the Carl D. Perkins Career and Technical Education Act of 2006 (P.L. 109-270).

Note: Lynda Doyle left the meeting at 2:00 PM

FEDERAL QUALIFIED SCHOOL CONSTRUCTION BOND PROGRAM – RSU 49/SAD 49

STATEMENT OF FACT: The Department of Education coordinates the Federal Qualified School Construction Bond (QSCB) program. QSCBs are bonds issued by state or local governments which the Federal government subsidizes by providing tax credits to bondholders or direct payment interest subsidies to issuers. Bond proceeds can be used for construction, rehabilitation, or repair of public school facilities.

RSU 49/SAD 49 submitted a 2010 QSCB application for Benton Elementary School and on June 9, 2010 received State Board of Education approval for a QSCB allocation in the amount of \$740,000. RSU 49/SAD 49 has requested that they be permitted to return their allocation to the Department of Education and that the Department reissue the RSU 49/SAD 49 allocation directly to the Maine Municipal Bond Bank (MMBB) for the RSU 49/SAD 49 project. Pursuant to this reallocation, the MMBB would issue QSCBs to provide funds for the previously approved RSU49/SAD 49 project.

CONSTRUCTION COMMITTEE RECOMMENDATION: On Monday, January 31, 2011, the Construction Committee voted unanimously to recommend that the State Board approve that the 2010 Federal allocation to RSU 49/SAD 49 of QSCBs in the amount of \$740,000 be reallocated to the Maine Municipal Bond Bank provided that the QSCBs issued by the Maine Municipal Bond Bank pursuant to this allocation shall be issued to provide funds for the RSU 49/SAD 49 project that the State Board of Education previously approved on June 9, 2010.

DEPARTMENT RECOMMENDATION: The Department of Education recommends that the State Board approve that the 2010 Federal allocation to RSU 49/SAD 49 of QSCBs in the amount of \$740,000 be reallocated to the Maine Municipal Bond Bank provided that the QSCBs issued by the Maine Municipal Bond Bank pursuant to this allocation shall be issued to provide funds for the RSU 49/SAD 49 project that the State Board of Education previously approved on June 9, 2010.

MOVED by Marilyn Tardy seconded by James Banks, Sr., and unanimously voted by those present to approve that the 2010 Federal allocation to RSU 49/SAD 49 of QSCBs in the amount of \$740,000 be reallocated to the Maine Municipal Bond Bank provided that the QSCBs issued by the Maine Municipal Bond Bank pursuant to this allocation shall be issued to provide funds for the RSU 49/SAD 49 project that the State Board of Education previously approved on June 9, 2010.

DEBT SERVICE LIMITATION

The Construction Committee is concerned that the Legislature will vote on the State Biennial Budget before the Department is able to release the Final Priority List. The proposed Budget includes a \$10 million reduction in the Statutory Debt Service Limit, changing it from \$126 million in FY 2011 to \$116 million in fiscal years 2012 through 2015.

Whereas, Section 4 of Chapter 223 states in part, "Funds used for the innovative model selected pursuant to this resolve may not impact funds that would normally be used for new school construction projects under the current guidelines set forth in Chapter 61, State Board of Education Rules for Major School Construction Projects".

MOTION by Marilyn Tardy, seconded by Martha Harris, and voted unanimously that the State Board of Education strongly encourage the Commissioner and the Legislature to maintain in the biennial budget the debt service limitation as it exists in current statute at \$126 million through 2013 and to increase as appropriate to accommodate integrated, consolidated secondary and post secondary projects pursuant to Resolve 2007, chapter 223, section 4.

MAJOR CAPITAL IMPROVEMENT PROGRAM – SCHOOL FACILITIES PROPOSED PRIORITY LIST 2010-2011

At the January 31, 2011 Construction Committee meeting, members asked Scott Brown to have the Final Priority List ready to present to the State Board of Education at the March 9, 2011 Board meeting. The committee is requesting that the Commissioner/Department of Education have the Final Priority List available for the State Board of Education's March 9, 2011 meeting.

MOTION by Marilyn Tardy, seconded by Martha Harris, and unanimously voted by those present for the Department of Education to have the final Major Capital Improvement Program-School Facilities Proposed Priority List completed and available for the public at the March 9, 2011 State Board of Education meeting.

ANNOUNCEMENTS:

Submit Expense Account Vouchers to Mary at the end of the meeting.

PUBLIC COMMENTS:

George Joseph, Representing the Maine School Superintendent's Association, Chair of the Construction Committee: The Committee held a meeting and is very concerned about two items.

One is LD 148 – "An Act to Set Uniform Standards for School Construction". Mr. Joseph agrees with the State Board of Education to oppose LD 148. The Committee is also very concerned about the Debt Service Limitation and also agrees with the State Board to maintain in the biennial budget the debt service limitation as it exists in current statute at \$126 million.

Ms Roxanne Doyer, accompanied by her Dad, Roger Doyer, made public comment to the Board regarding concerns of her child's health issues and the Individual Health Plans (IHP) at RSU #16. Ms Doyer shared with the Board a copy of a letter to the Commissioner of Education regarding her concerns.

EXECUTIVE SESSION:

MOTION made by Dottie Martin, seconded by Steve Pound, and unanimously voted by those present for the State Board of Education to go into Executive Session at 2:51 PM for the purpose of interviewing a candidate for Commissioner of Education according to Law 1 MDSA 405(6)(A).

The State Board of Education reconvened the February 9, 2011 regular monthly meeting at 5:19 PM.

After hearing the spirit of cooperation and collaboration that will be sought, the list of priorities for improving education, and how the State Board of Education can assist in providing quality education for every Maine student, the Board looks forward to working with Stephen Bowen, the Governor's candidate for Commissioner of the Department of Education.

MOTION by Dottie Martin, seconded by Nancy Perkins, and unanimously voted by those present to have the Chair of the State Board of Education forward to the Governor a letter in support of his candidate, Stephen Bowen for Commissioner of Education.

Subsequent to the meeting and prior to the minutes being typed, it was noted that within 10 days of meeting with the candidate(s), the State Board shall deliver to the Governor its written appraisal of the strengths and weaknesses of the candidate(s) for Commissioner of Education.

ADJOURNMENT:

Moved by Steven Pound, seconded by Nancy Perkins, and unanimously voted by those present to adjourn the February 9, 2011, State Board of Education meeting at 5:28 PM.